

CITY UTILITIES COMMITTEE

MINUTES

JULY 11, 2006

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, July 11, 2006 at 9:43 a.m.**, in Committee Room #2. The following members were present:

The Honorable Ceasar C. Mitchell, Chair
The Honorable Ivory L. Young, Jr., Vice-Chair
The Honorable Natalyn M. Archibong
The Honorable Howard Shook
The Honorable Clair Muller
The Honorable Carla Smith

Others present at the meeting were: Stephanie Grant, Renee Shepherd and Megan Middleton, Law Department; Commissioner Robert Hunter, Deputy Commissioners Shelia Pierce, and Joseph Basista Department of Watershed Management; Nursef Kadir, Department of Public Works; Joe Morris, Office of the Mayor; public and Council Staff.

Chairman Mitchell called the meeting to order at 9:43 a.m. after declaring a quorum present. He then proceeded with the following order of business.

A. ADOPTION OF AGENDA - ADOPTED AS AMENDED TO ADD AN APPRAISAL

B. APPROVAL OF MINUTES - APPROVED

CONSENT

C. ORDINANCES FOR FIRST READING

06-O-1470 (1) An Ordinance by City Utilities Committee to amend the Fiscal Year 2006-2007 (2001 Water and Wastewater Bond Fund) Budget in the amount of \$4,000,000.00 to transfer funds from the Reserve for Appropriations for construction services for the Greensferry Sewer Separation Project (Transmission Main - Hemphill South), on behalf of the Department of Watershed Management; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

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ORDINANCES FOR FIRST READING (CONT'D)

- 06-O-1471 (2) An Ordinance by City Utilities Committee to amend the Fiscal Year 2006-2007 (2001 Water and Wastewater Bond Fund) Budget in the amount of \$150,000.00 to transfer funds from the Reserve for Appropriations to Facilities other than Buildings for the execution of an Agreement with State of Georgia Department of Transportation, for Water Facilities Services on behalf of the Department of Watershed Management; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

- 06-O-1472 (3) An Ordinance by City Utilities Committee to amend the Fiscal Year 2006-2007 (2001 Water and Wastewater Revenue Fund) Budget on behalf of the Department of Watershed Management, in the amount of \$1,361,900.00 to transfer funds from the Designated Reserve for Appropriations for the Water Utilities Locator Services Project; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

REGULAR

D. ORDINANCE FOR SECOND READING

- 06-O-1573 (1) An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or her designee to enter into an Agreement between Hilton Atlanta and the Atlanta Marriott Marquis and the City of Atlanta for the erection of a bridge in accordance with Section 138-25(b) of the City of Atlanta's Code of Ordinances; and for other purposes.
(Councilmember Mitchell made a motion to hold for further discussions.)

HELD

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E. RESOLUTIONS

- 06-R-1467 (1) A Resolution by City Utilities Committee to authorize the Mayor to enter into an Agreement with Serenbe Development Corporation, providing for the non-standard location of the City of Atlanta water meters within private property and private rights-of-way; to require and accept an easement from Serenbe Development Corporation for the purpose of allowing the City access to its water meters; and for other purposes.
(Councilmember Young made a motion to approve.)

FAVORABLE

- 06-R-1468 (2) A Resolution by City Utilities Committee to authorize the Mayor to enter into an Agreement with Brantley Street, LLC, providing for the non-standard location of the City of Atlanta water meters within private property and private rights-of-way; to require and accept an easement from Brantley Street, LLC for the purpose of allowing the City access to its water meters; and for other purposes.
(Councilmember Young made a motion to approve.)

FAVORABLE

- 06-R-1469 (3) A Resolution by City Utilities Committee to authorizing the Mayor to issue a **Notice to Proceed** with Jacobs/PRAD/PBS & J, Joint Venture, for FC-7619-03D, Annual Contract for Architectural and Engineering Services for Security Design Guidelines, on behalf of the Department of Watershed Management, in an amount not to exceed \$657,412.72; all contracted work will be charged to and paid from Fund, Account and Center Number: 2J21 (Water & Wastewater Renewal & Extension Fund) 524001 (Consultant/Professional Services) Q12T07419999 (Water Security Surcharge); and for other purposes.
(Councilmember Young made a motion to approve.)

FAVORABLE

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RESOLUTIONS (CONT'D)

- 06-R-1579 (4) A Resolution by Councilmember Ceasar C. Mitchell **as substituted by City Utilities Committee** authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$22,000.00 as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards at the Tanyard CSO on July 5, 2006 and North Avenue CSO Facility on June 30, 2006 and July 5, 2006 pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes.
(Councilmember Young made a motion to approve on substitute .)

FAVORABLE ON SUBSTITUTE

F. PAPERS HELD IN COMMITTEE

- 06-O-0306 (1) An Ordinance by City Utilities Committee amending the 2006 (1994 G. O. Bond Referendum Fund) Budget by transferring from and to appropriations in the amount of \$852,361.11 to fund the Paving Management and Improvement Program; and for other purposes. **(Held 2/14/06 at the request of Councilmember Muller.)**
- 06-O-0472 (2) An Ordinance by Councilmembers C. T. Martin and Ivory L. Young, Jr. to re-name Simpson Road from H. E. Holmes Drive to West Peachtree Street, to Coretta Scott King Drive; to waive various subsections of Section 138-8 of the Code of Ordinances; and for other purposes. **(Held 2/14/06 awaiting decision from Coretta Scott King Commission on the appropriate honor for Mrs. King.)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 06-O-0560 (3) An Ordinance by Councilmember Kwanza Hall to **abandon** the following portion of right-of-way, being more specifically described in the legal description attached as Exhibit "A" and the survey attached as Exhibit "B" (1) Alexander Street between Luckie Street and Marietta Street, said property lying and being in Land Lot 79 of District 14, Fulton County, Georgia; and for other purposes. **(Public Hearing held 3/14/06) (Held 3/14/06 at the request of the Department of Public Works while questions to GDOT are being addressed.)**
- 06-R-0563 (4) A Resolution by Councilmember Joyce M. Sheperd authorizing the Mayor to enter into an Agreement with Brock Built, LLC providing for the non-standard location of water meters on private property to which the city provides water services; and for other purposes. **(Referred back by Council 3/6/06) (Held 3/14/06 at the request of the Department of Watershed Management so that developer can address the private property concerns.)**
- 06-O-0937 (5) An Ordinance by Councilmember Clair Muller to amend Article VII of Chapter 74 entitled **"Riparian Buffer Requirements"**; to officially change the administrating Department to Watershed Management, to streamline the review process and clarify the Public Notice Requirements; and for other purposes. **(Held 4/25/06 for further review by the Department of Watershed Management.)**
- 06-O-1367 (6) An Ordinance by Councilmember Felicia A. Moore to repeal Chapter 2, Article IX, Division 3, Section 2-973 (Entitled, "Billing and Collection by Private Contractor Responsible for the Operation and Maintenance of the City's Water System.") of the Code of Ordinances of the City of Atlanta so as to remove obsolete text relating to the operation and maintenance of the City's water system by a private contractor; to repeal conflicting ordinances; and for other purposes. **(Held 6/27/06 pending further review by the Law Department.)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 06-O-1454 (7) An Ordinance by Councilmember Clair Muller **as amended by City Utilities Committee** to amend Chapter 130 Solid Waste Management, Section 130-84, Rates and Charges to limit such rate to apply to lots with a residence; and for the other purposes. **(Amended and held 6/27/06 at the request of the author.)**

G. ITEM NOT AGENDA

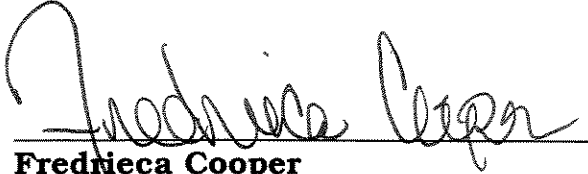
APPRAISAL

- (1) Appraisal of the **abandoned** portion of Old Ivy Road, NE consists of 3,698 per square feet the Appraiser has estimated fair market value to be \$59,200.00 which indicates \$16.00 per square feet.
(Councilmember Young made a motion to accept the appraisal.)

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There being no further business to come before the Committee, the meeting was adjourned at 10:40 a. m.

Respectfully Submitted:



**Fredriecca Cooper
Legislative Assistant**



**Alfred Berry, Jr.
Research and Policy Analyst**



**The Honorable Ceasar C. Mitchell, Chair
City Utilities Committee**